

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANDRE JACOBS,)
)
 Plaintiff,) Civil Action No. 07-237
)
v.) Judge Joy Flowers Conti
) Magistrate Judge Bissoon
DEBORAH BAYHA, et al.,)
)
 Defendants.)

MEMORANDUM ORDER

Andre Jacobs' civil rights suit was commenced with the receipt of a complaint by the Clerk on February 23, 2007 (Doc. 1). The matter was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The case was later assigned to Magistrate Judge Bissoon.

The Magistrate Judge's Report and Recommendation, filed on May 11, 2009 (Doc. 48), recommended that Defendants' Motion to Dismiss (Doc. 42) be denied. Objections were due on or before May 28, 2009, and none have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 11th day of June, 2009,

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss
(Doc. 42) is DENIED.

The Report and Recommendation of Magistrate Judge Bissoon
(Doc. 48) dated May 11, 2009, is adopted as the opinion of the
court.

s/Joy Flowers Conti
Joy Flowers Conti
U.S. District Court Judge

cc: ANDRE JACOBS
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